

A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS HELD DECEMBER 1, 1998 AT 9:30 A.M. IN WARRENTON, VIRGINIA

P R E S E N T Mr. David C. Mangum, Chairman; Mr. Larry L. Weeks, Vice Chairman; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Joe Winkelmann; Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

ADOPTION OF THE AGENDA

Mr. Burton moved to adopt the agenda subject to adding an appointment to the Airport Committee and to deleting Executive Session. Mr. Green seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Joe Winkelmann

Nays: None

Absent During Vote: None

Abstention: None

CERTIFICATE OF APPRECIATION FOR L. THOMAS GREENE FOR SERVICE TO THE JOHNSON GRASS COMMITTEE

Mr. Burton presented L. Thomas Greene with a Certificate of Appreciation for his service to the Johnson Grass Committee.

PROCLAMATION OF COMMENDATION FOR JAMES A. RANKIN FOR SERVICE AS CENTER DISTRICT REPRESENTATIVE ON THE FAUQUIER COUNTY BOARD OF SUPERVISORS

Mr. Winkelmann moved to adopt the following proclamation. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Joe Winkelmann

Nays: None

Absent During Vote: None

Abstention: None

PROCLAMATION

A PROCLAMATION OF RECOGNITION AND COMMENDATION FOR

JAMES A. RANKIN

WHEREAS, James A. Rankin served with distinction as an elected member of the Fauquier County Board of Supervisors, representing the citizens of Center District, for two complete four year terms during the periods January 1984 to December 1987 and January 1988 to December 1991; and

WHEREAS, after the untimely death of Board member and Center District representative James G. Brumfield in December of 1997, James A. Rankin graciously agreed to accept a position of public service and return to serve as a member of the Board of Supervisors in an interim capacity; and

WHEREAS, during his interim term as a member of the Fauquier County Board of Supervisors, James A. Rankin continued his previous course of improving the standards of living and furthering the quality of life for all citizens of Fauquier County; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors this 1st day of December 1998, That James A. Rankin be, and is hereby, commended by his fellow Board members for his past and continuing unselfish service to the community of Fauquier and particularly to the citizens of Center District; and, be it

PROCLAIMED FURTHER, That the Fauquier County Board of Supervisors extends gratitude and best wishes to James A. Rankin and his family for continued health, happiness and success in all future endeavors.

CONSENT AGENDA

Mr. Weeks moved to adopt the following Consent Agenda items. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Joe Winkelmann

Nays: None

Absent During Vote: None

Abstention: None

FY 1999 Budget Transfers and Supplemental Appropriations

RESOLUTION

A RESOLUTION TO TRANSFER & APPROPRIATE FUNDS

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the operation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, funds needed to increase a department's budget must come from internal adjustments or from an outside source such as State, Federal, grant or other local sources such as the County's Reserve for Contingency; and

WHEREAS, the Sheriff's Office has requested \$92,224 and \$1,251 from Share of Forfeiture Proceeds - DEA Group 33, \$16,775 from Insurance Revenue for replacement of a wrecked vehicle, and a FY 1998 carryover of \$49,500 from vehicle repair and maintenance funding to be placed in the maintenance account; and

WHEREAS, \$1,907 was received from Coleman Elementary School's PTO to complete payment for the school's playground, \$16,312 received from a Federal Impact Aid audit and \$20,824 from Virginia Public School Authority to be used for year 2000 technology compliance issues; and

WHEREAS, Information Resources requested \$150,000 from roll back taxes on the Waterfield property to fund three (3) technology initiatives for year 2000 compliance; and

WHEREAS, the Budget Services Division requested that \$363,642 from State funds for construction be appropriated for the Brumfield Elementary School project; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 1st day of December 1998, That the sum of \$712,435 be carried over, transferred

or appropriated, and hereby approved as follows:

	FROM			TO	
Source	Code	Amount	Department	Code	Amount
Federal funds	3-100-331000-0040	\$92,224	Sheriff's Office	4-100-31230-8201	\$92,224
Insurance	3-100-189900-0030	\$16,775	Sheriff's Office	4-302-80301-8205	\$16,775
Federal Funds	3-100-331000-0040	\$1,251	Sheriff's Office	4-100-31230-8201	\$1,251
Carryover	3-100-419000-0010	\$49,500	Sheriff's Office	4-100-31200-3311	\$49,500
School Division	4-205-93100-9302	\$1,907	CIP	3-205-1899131	\$1,907
	4-302-85603-8210	\$1,907		3-302-415000-205	\$1,907
Federal Funds	3-205-332000-0090	\$16,312	CIP	4-205-93100-9302	\$16,312
	3-302-415000-205	\$16,312		4-302-94630-8207	\$16,312
State Funds	3-205-242000-0068	\$20,824	School Division	4-205-93100-9302	\$20,824
	3-302-415000-205	\$20,824		4-302-94630-8207	\$20,824
Local Funds	3-100-111001-0004	\$150,000	Information Resources	4-302-94110-8207	\$150,000
State Funds	4-205-243000-0006	\$363,642	CIP	4-302-094607-9409	\$363,642
TOTAL		\$712,435			\$712,435

A Resolution Referring a Proposed Amendment to Section 2-705.1 of the Fauquier County Zoning Ordinance to Permit Outdoor Recreation Uses on Non-Common Open Space Parcels With Special Permit or Special Exception as Provided by 3-309 of the Zoning Ordinance to the Planning Commission for Consideration

RESOLUTION

A RESOLUTION REFERRING A PROPOSED AMENDMENT TO SECTION 2-705.1 OF THE FAUQUIER COUNTY ZONING ORDINANCE TO PERMIT OUTDOOR RECREATION USES ON NON-COMMON OPEN SPACE PARCELS WITH SPECIAL PERMIT OR SPECIAL EXCEPTION AS PROVIDED BY 3-309 OF THE ZONING ORDINANCE TO THE

PLANNING COMMISSION FOR CONSIDERATION

WHEREAS, the Board of Supervisors has been requested to consider proposed amendments to the Fauquier County Zoning Ordinance to permit Outdoor Recreation uses on Non-Common Open Space parcels; and

WHEREAS, the Board of Supervisors considers it in the public interest to consider the proposed amendments; now, therefore, be it

RESOLVED by the Board of Supervisors of Fauquier County this 1st day of December 1998, That the proposed amendment to Section 2-705.1 of the Fauquier County Zoning Ordinance to permit outdoor recreation uses on non-common open space parcels with special permit or special exception as provided by 3-309 of the Zoning Ordinance be, and is hereby, referred to the Planning Commission for consideration.

A Resolution to Lift the Freeze on the Submission of Position Reclassification Requests

RESOLUTION

A RESOLUTION TO LIFT THE FREEZE ON THE SUBMISSION

OF POSITION RECLASSIFICATION REQUESTS

WHEREAS, on October 21, 1997, the Board of Supervisors voted unanimously to suspend the submission of position reclassification requests in an effort to mitigate the FY 1998 budgeted revenue to expenditure imbalance; and

WHEREAS, during the course of the "freeze" on reclassifications, staff has worked with the Joint Personnel Committee and the Finance Committee to make necessary modifications to the reclassification policy in preparation for the "freeze" being lifted; and

WHEREAS, on November 17, 1998, the Board of Supervisors, upon the unanimous recommendation of the Joint Personnel Committee and Finance Committee, approved the recommended revisions to Personnel Policy #23 - Position Classification Plan; and

WHEREAS, based upon the Board of Supervisors' adoption of the revisions to Personnel Policy #23, the County Administrator is recommending that the Board of Supervisors lift the October 21, 1997, "freeze" on the submission of position reclassification requests; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 1st day of December 1998, That the Fauquier County Board of Supervisors does hereby lift the "freeze" on the submission of position reclassification requests effective December 1, 1998.

A Resolution to Direct the County Administrator to Establish Board of Supervisors Materials Distribution Policies

RESOLUTION

A RESOLUTION TO DIRECT THE COUNTY ADMINISTRATOR TO ESTABLISH BOARD OF SUPERVISORS MATERIALS DISTRIBUTION POLICIES

WHEREAS, the Board of Supervisors recognizes the need to establish certain internal procedures relating to the distribution of Board of Supervisors materials so as to insure conformance with the Virginia Freedom of Information Act and the adopted bylaws of the Board of Supervisors; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 1st day of December 1998, That the Fauquier County Board of Supervisors does direct the County Administrator to establish, in consultation with the Board of Supervisors, those policies necessary to insure conformance with the Virginia Freedom of Information Act and the adopted bylaws of the Fauquier County Board of Supervisors.

A Resolution to Enter Into a Special Cooperative Event Agreement with the Meadow Outdoors Foundation for Use of Soccer Fields by the Children of Fauquier County

RESOLUTION

A RESOLUTION TO ENTER INTO A SPECIAL COOPERATIVE EVENT

AGREEMENT WITH THE MEADOW OUTDOORS FOUNDATION FOR USE

OF SOCCER FIELDS BY THE CHILDREN OF FAUQUIER COUNTY

WHEREAS, Section 15.1-262 of the Code of Virginia authorizes the Board of Supervisors to accept land for any public purpose; and

WHEREAS, the Board of Supervisors of Fauquier County finds it to be

in the public interest to use certain real property for public purposes without acquiring such property; and

WHEREAS, the Meadow Outdoors Foundation has offered use of a portion of the Great Meadow property for youth soccer activities; and

WHEREAS, the use of said property in past years has been of significant value in meeting the shortage of ballfields space in the County; and

WHEREAS, the Parks and Recreation Board of Fauquier County has endorsed the Special Event Cooperative Agreement; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 1st day of December 1998, That the Board of Supervisors be, and is hereby, authorized to enter into the Special Event Cooperative Agreement with the Meadow Outdoors Foundation; and, be it

RESOLVED FURTHER, That G. Robert Lee, County Administrator of Fauquier County be, and is hereby, authorized to accept and execute the property documents to effect the Special Event Cooperative Agreement to the aforementioned property on behalf of the County of Fauquier; and, be it

RESOLVED FINALLY, That the County of Fauquier expresses its gratitude to the Meadow Outdoors Foundation for its civic involvement and generosity to the children of Fauquier County.

Preliminary Subdivision Plat - John Randolph Parks Subdivision

No action was taken.

SPECIAL EXCEPTION - RODGERS FAMILY LIMITED PARTNERSHIP, OWNERS, AND S. W. RODGERS COMPANY, INC., APPLICANT

A public hearing was held at the November 17, 1998, meeting to consider special exception approval for Rodgers Family Limited Partnership, Owners, and S.W. Rodgers Company, Inc., Applicant, to permit the barricaded storage of explosive/blasting agents in the Rural Agriculture (RA) zoning district. The 140.5 acre property is located on the southeast corner of Route 643 (Meetze Road) and Route 670 (Old Auburn Road), Center District. Mr. Winkelmann moved to adopt the following resolution to deny the request. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

**Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton;
Mr. James R. Green, Jr.; Mr. Joe Winkelmann**

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO DENY SPECIAL EXCEPTION

REQUEST #SE98-C-13

RODGERS FAMILY LIMITED PARTNERSHIP

WHEREAS, the Property Owner, S.W. Rodgers Co., Inc., and Applicant, Rodgers Family Partnership Limited, have filed an application for a special exception to permit the barricaded storage of explosive/blastng agents in the Rural Agriculture (RA) Zoning District, pursuant to Section 3-317.6, General Industrial, of the Fauquier County Zoning Ordinance; and

WHEREAS, the Special Exception Application of S.W. Rodgers Co., Inc., Property Owner, and Rodgers Family Limited Partnership, Applicant, has been properly filed and all required notices of the public hearing have been made; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on September 24, 1998, on this special exception amendment request; and

WHEREAS, the Fauquier County Planning Commission at their October 29, 1998, regular meeting recommended approval of this special exception amendment request, subject to ten (10) conditions; and

WHEREAS, the Fauquier County Board of Supervisors held a public hearing on this special exception amendment request on November 17, 1998; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 1st day of December, 1998, That Special Exception #SE98-C-13, S.W. Rodgers Co., Inc. Property Owner, and Rodgers Family Limited Partnership, Applicant (PIN #6993-17-4088-000), be, and is hereby, denied based on the following findings:

a. that the applicant has failed to show that the Standards contained in Section 5-006 of the Fauquier County Zoning Ordinance are

satisfied and specifically that the proposed use would not adversely affect the use and development of adjacent and neighboring properties; and that

b. the applicant has other reasonable uses for the property available under the Fauquier County Zoning Ordinance.

A RESOLUTION TO TRANSFER AND APPROPRIATE FUNDS TO THE PARTNERSHIP FOR WARRENTON AND THE OLD TOWN ASSOCIATION

Mr. Winkelmann moved to adopt the following resolution to transfer and appropriate \$3,000 to the Partnership for Warrenton and the Old Town Association. Mr. Burton seconded.

Mr. Weeks then moved to amend the motion to adopt the resolution with an added provision for waiver of outside emergency. Mr. Winkelmann seconded, and the vote for the amended motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Joe Winkelmann

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO TRANSFER AND APPROPRIATE FUNDS

TO THE PARTNERSHIP FOR WARRENTON AND THE OLD TOWN ASSOCIATION

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, Old Town Warrenton's holiday festivities have been recognized by the Southeastern Regional Tourism Board and increased

visitors are expected; and

WHEREAS, the Partnership for Warrenton and the Old Town Association have requested that the County provide support for Christmas activities in Warrenton; and

WHEREAS, the Finance Committee forwarded this request for the full Board of Supervisors' consideration on the request of Supervisor Winkelmann; and

WHEREAS, staff has identified sufficient excess funding within the School Division's approved FY1999 Reserve for Encumbrance to allow for the funding of this request; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 1st day of December 1998, That the sum of \$3,000 be hereby transferred, appropriated and approved as follows:

	FROM			TO	
Source	Code	Amount	Department	Code	Amount
Reserve for FY99 Encumbrance	4-205-064200-2600- 900-000-000	\$3,000	Partnership for Warrenton	4-100-81600-5672	\$3,000
	Total	\$3,000		Total	\$3,000

APPOINTMENT OF SCOTT DISTRICT REPRESENTATIVE TO THE PLANNING COMMISSION AND AIRPORT COMMITTEE

Mr. Weeks moved to appoint Herb Pierpan to the Airport Committee to fill an unexpired term to December 31, 1999. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Joe Winkelmann

Nays: None

Absent During Vote: None

Abstention: None

Mr. Weeks moved to appoint Bob Sinclair to the Planning Commission for a four-year term to December 31, 2002. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Joe Winkelmann

Nays: None

Absent During Vote: None

Abstention: None

APPOINTMENT OF FAUQUIER COUNTY REPRESENTATIVE TO THE COMMUNITY SERVICES BOARD

Mr. Mangum moved to re-appoint Willis Risdon to the Community Services Board for a four-year term to December 31, 2002. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Joe Winkelmann

Nays: None

Absent During Vote: None

Abstention: None

A RESOLUTION TO APPOINT JOHN WALDECK AS A MEMBER OF THE FAUQUIER-RAPPAHANNOCK COMMUNITY CRIMINAL JUSTICE BOARD

Mr. Burton moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Joe Winkelmann

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPOINT JOHN WALDECK AS A MEMBER OF THE

FAUQUIER-RAPPAHANNOCK COMMUNITY CRIMINAL JUSTICE BOARD

WHEREAS, in 1995 the Virginia General Assembly enacted criminal justice legislation (Sections 19.2-152.2 and 53.1-180 of the Code of Virginia, 1950, as amended) mandating the appointment of single-locality or multi-jurisdictional Community Criminal Justice Boards for the monitoring, development and evaluation of local criminal justice services; and

WHEREAS, as a result of said legislation, the Fauquier County Board of Supervisors adopted a resolution on May 2, 1995, to appoint members to a local Community Criminal Justice Board in conjunction with Rappahannock County, such board being know as the Fauquier-Rappahannock Community Criminal Justice Board; and

WHEREAS, said legislation provides that up to twenty members may be appointed to a multi-jurisdictional Community Criminal Justice Board; and

WHEREAS, at its meeting of September 3, 1998, a quorum of members of the Fauquier-Rappahannock Community Criminal Justice Board voted to recommend the appointment of John Waldeck to its membership; and

WHEREAS, John Waldeck is Director of Clinical Services for the Rappahannock-Rapidan Community Services Board and a citizen of good character; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 1st day of December 1998, That John Waldeck be appointed as a member of the Fauquier-Rappahannock Community Criminal Justice Board.

A RESOLUTION AUTHORIZING TRACEY CORPORATION TO ASSIGN TO MIDLAND DEVELOPMENT CORPORATION THE LEASE FOR THE WARRENTON-FAUQUIER AIRPORT T-HANGAR PAD SITES AND TO AUTHORIZE ISSUANCE OF A NON-BINDING LETTER OF CLARIFICATION AND INTENT CONCERNING THE TERMS OF SAID T-HANGAR PAD SITES LEASE

Mr. Weeks moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Joe Winkelmann

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION AUTHORIZING TRACEY CORPORATION TO ASSIGN TO MIDLAND DEVELOPMENT CORPORATION THE LEASE FOR THE WARRENTON-FAUQUIER AIRPORT T-HANGAR PAD SITES AND TO AUTHORIZE ISSUANCE OF A NON-BINDING LETTER OF CLARIFICATION AND INTENT CONCERNING THE TERMS OF SAID T-HANGAR PAD SITES LEASE

WHEREAS, the Board of Supervisors of Fauquier County and Tracey Corporation, a Virginia Corporation, the Fixed Based Operator at the Warrenton-Fauquier Airport, entered into a Lease on 15 April 1997; and

WHEREAS, the purpose of the Lease is to specify a 30 year land lease for construction of airport hangars; and

WHEREAS, section 11 of the said Lease provides that Tracey Corporation may assign the Lease only upon prior written approval of the Board of Supervisors of Fauquier County; and

WHEREAS, Tracey Corporation is requesting that permission be granted by the Board of Supervisors for assignment of the Lease Agreement to Midland Development Corporation, a Virginia Corporation; and

WHEREAS, section 3 of the said Lease specifies a fixed-sum monthly rental payment for a term of 60 months; and

WHEREAS, beginning with the 60th month after commencement of the Lease and every 60 months thereafter, the rental for the leased premises "...shall be increased by an amount mutually agreed upon by the parties; and

WHEREAS, Tracey Corporation is further requesting, for financial and other purposes, that clarification concerning the rental provisions at the end of the 60 month term be provided; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 1st day of December 1998, That the Chairman be, and is hereby, authorized to execute on behalf of Fauquier County, that certain Assignment of Lease whereby Tracey Corporation, a Virginia Corporation, transfers

to Midland Development Corporation, a Virginia Corporation, all of its right, title and interest, in and to the aforesaid Lease dated April 15, 1997; and, be it

RESOLVED FURTHER, That the Chairman be, and is hereby, authorized to issue on behalf of Fauquier County, a non-binding Letter of Clarification and Intent indicating that, based on established practices and procedures, Fauquier County anticipates that the future increases in rent for the hangar leased premises shall be based on the applicable, cumulative consumer price index (CPI) for the preceding 60 month period (i.e., five consecutive years).

SUPERVISORS TIME

Senior members of the Board of Supervisors welcomed Mr. Winkelmann to the Board.

Mr. Green asked that a work session be scheduled to discuss the proposed Warren County boundary adjustment.

Mr. Winkelmann announced that he would not continue the Center District Advisory Committee. He will be having monthly community meetings on the first Wednesday of each month at 7:00 p.m. at various locations.

Mr. Winkelmann said that he would like to produce a constituent newsletter and would like to have a work session to discuss the possibility.

Mr. Winkelmann said that he would like to see the Board of Supervisors conduct twice yearly "open mike sessions" for the public.

ANNOUNCEMENTS

Mr. Lee announced the Employee Holiday Party would be December 12 at the American Legion Building.

Mr. Lee said that William Armstrong was asking the Board to schedule a work session with the Virginia Railway Express/Potomac-Rappahannock Transportation Commission to discuss rail transportation.

With no further business, the meeting was adjourned.